

BOARD OF SUPERVISORS  
COUNTY OF YORK  
YORKTOWN, VIRGINIA

Resolution

At a regular meeting of the York County Board of Supervisors held in the Board Room, York Hall, Yorktown, Virginia, on the \_\_\_\_ day of \_\_\_\_\_, 2000:

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Present

Vote

Walter C. Zaremba, Chairman  
James S. Burgett, Vice Chairman  
Sheila S. Noll  
Donald E. Wiggins  
Melanie L. Rapp

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On motion of \_\_\_\_\_, which carried \_\_\_\_, the following resolution was adopted:

A RESOLUTION TO APPROVE A MINOR AMENDMENT TO APPLICATION  
NO. UP-523-97 TO AUTHORIZE THE DELETION OF A PUBLIC NINE-HOLE  
GOLF COURSE AND REDESIGNED RESORT AMENITIES AND BUILDING  
LOCATIONS

WHEREAS, Fairfield Communities, Inc., has submitted a request for a minor amendment to an existing use permit, Application No. UP-523-97 (Revised), pursuant to the terms of Section 24.1-115(d)(2) of the York County Zoning Ordinance to authorize the deletion of an approved public golf course, the elimination of three building pads by replacing nine two-story buildings with six three-story buildings, the relocation of the maintenance building, and the addition and relocation of private resort amenities on 57.01 acres of property located approximately one (1) mile east of the intersection of Mooretown Road (Route 603) and Airport Road (Route 645) and further identified as Assessor's Parcel No. 5-50; and

WHEREAS, the Board has carefully considered the staff recommendation with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this \_\_\_\_ day of \_\_\_\_\_, 2000, that it does hereby approve a minor amendment to Application UP-523-97 (amended) to permit the deletion of an approved public golf course, the elimination of three building pads by replacing nine two-story buildings with six three-story buildings, the relocation of the maintenance building, and the addition and relocation of private resort amenities, subject to the following conditions:

1. This shall authorize the amendment of use permit UP-523-97 Revised, to include the deletion of a public golf course and clubhouse, the deletion of three building pads, the relocation of the maintenance building, and the addition and relocation of private resort amenities.

2. A transitional buffer type-25 (25-foot) shall be constructed around the resort. In addition, a 35-foot landscaped buffer shall be constructed along Mooretown Road (Route 603) as depicted on the Site Development Plan revised October 16, 2000.
3. Miniature golf courses shall not provide any features or elements that are visible from anywhere outside of the resort boundary.
4. Recreational amenities and outdoor roofed activity/picnic shelters shall be for private guest use only.
5. The general layout and design of the site shall conform to the Site Development Plan titled "Fairfield Williamsburg at Governor's Green," dated October 16, 2000. The six-acre parcel to be developed for future commercial use labeled on the above-referenced October 16 site plan as "Commercial" is hereby excluded.
6. Failure to establish the timeshare use authorized by the permit within three (3) years from the date of approval by the Board shall cause the permit to terminate automatically. For the purposes of this use permit, establishment of the timeshare use shall be deemed to be achieved upon approval of the site plan for the project and issuance of a land disturbing activity permit.
7. A site plan encompassing the entire 57.01-acre timeshare area, identified as Parcels 1 and 2 on the subdivision plat titled, "Subdivision of the Property of Richmond Road Associates, L.L.C., Parcel Containing 63.510 acres," dated June 22, 1998 (Plat Book 12, Page 607), shall be prepared in accordance with Article V of the York County Zoning Ordinance and submitted to and approved by the County prior to the owners commencing any construction activity on the subject property. As part of the site plan, an impact study shall be completed consistent with Section 24.1-376(f), Watershed Management and Protection Area Overlay District, of the Zoning Ordinance.
8. Left and right turn lanes along Mooretown Road at the entrance to the development shall be installed prior to the commencement of construction of any portion of the timeshare resort, as outlined in "Traffic Analysis for Mershon Tract on Mooretown Road Extended," prepared by DRW Consultants, Inc., and dated September 25, 1997. These additional lanes shall be approved by the Virginia Department of Transportation (VDOT) prior to construction.
9. The timeshare resort shall have a maximum of 350 units, including any "lockout units."
10. All streets, drives, and parking areas in the development shall be constructed to VDOT cross-sectional street standards.
11. The resort shall be served by sanitary sewer and public water prior to the issuance of occupancy for any timeshare units.
12. Permanent year-round residential occupancy by any individual or family other than that of a resident caretaker/manager shall be prohibited.

13. The development shall consist only of units for which the exclusive right of use, possession, or occupancy circulates among various owners or lessees thereof in accordance with a fixed time schedule on a periodically recurring basis.
14. Proposed procedures and regulations for maintenance and upkeep of the facility shall be submitted to the Zoning Administrator for review and approval at the time of the initial site plan submission for the project.
15. Parking shall be provided at a ratio of no fewer than 1.3 spaces per timeshare unit.
16. All agreements and restrictions pertaining to ownership and maintenance of common areas on the site shall comply fully with Section 55-360 et seq., Code of Virginia, the Virginia Real Estate Time-Share Act. Certification by the developer's legal counsel that the referenced standards have been met shall be submitted with development plans.
17. These conditions shall supersede all other conditions related to this Use Permit.

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